

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GREGORY D. BOLIN,

Petitioner,

v.

RENEE BAKER, *et al.*,

Respondents.

Case No. 3:07-cv-00481-MMD-VPC

ORDER

On June 13, 2012, this court discharged Saor Stetler as counsel for the petitioner, Gregory D. Bolin, in this capital habeas corpus case. (Dkt. no. 115.) The court also stayed proceedings pending the appointment of new counsel. *Id.*

On July 9, 2012, the court entered an order appointing David K. Neidert to represent the petitioner in this case. (Dkt. no. 117.) Mr. Neidert has entered a notice of appearance. (Dkt. no. 118.) As such, the court shall reopen proceedings in this case. However, the court will also allow a period of time for counsel to familiarize himself with petitioner's case.

IT IS THEREFORE ORDERED that the stay in this case is VACATED.


IT IS FURTHER ORDERED that counsel for petitioner shall have **thirty (30) days** from the date of entry of this order to obtain petitioner's case files from prior counsel (which prior counsel is ordered to provide) and to confer with petitioner at petitioner's place of confinement. Counsel shall have **forty-five (45) days** from the date

1 of entry of this order to review the record of state and federal proceedings. At counsel's
2 request, respondents shall provide any portion of the state court record not contained in
3 petitioner's case files or previously filed as an exhibit in this proceeding.

4 **IT IS FURTHER ORDERED** that petitioner shall have **sixty (60) days** from the
5 date this order is entered within which to file a Notice of Abandonment of Unexhausted
6 Claims, indicating that unexhausted claims identified in this court's order of September
7 27, 2011 (dkt. no. 90), are to be deleted from his second amended petition (dkt. no. 49)

8 **IT IS FURTHER ORDERED** that, if petitioner does not abandon his unexhausted
9 claims within the time allowed, the second amended petition (dkt. no. 49) shall be
10 dismissed under *Rose v. Lundy*, 455 U.S. 509 (1982).

11 DATED THIS 11th day of July 2012.

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14 UNITED STATES DISTRICT JUDGE